



DT03 Rec'd PCT/PTO 07 MAR 2005

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Inventors: Katsuhiko ARAKI, et al.

Application No.: 10/517,006

Filed: December 6, 2004

For: BASE STATION APPARATUS AND ADAPTIVE MODULATION METHOD

INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner of Patents
Washington, DC 20231

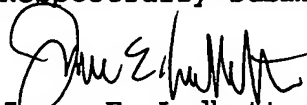
Dear Sir:

Pursuant to Rules 56 and 99, Applicants hereby call the attention of the Patent Office to the art listed on the attached Form PTO 1449. Copies of the art cited in the International Search Report (ISR), which issued by the JPO, are made available to the U.S. examiner in the national stage application, pursuant to MPEP 1893.03(g), and therefore copies of such art are not submitted herewith. The art cited in the ISR is listed on the attached PTO-1449 for an indication of consideration by the examiner. Copies of any other references listed on the PTO-1449, besides those cited in the ISR, are submitted herewith. JP '168 is discussed in the present application on page 2, line 2 et seq. JP '956 corresponds to US '361 and WO '175 corresponds to US '063.

Applicants present this art so that the Patent Office may, in the first instance, determine any relevancy thereof to the presently claimed invention, see Beckman Instruments, Inc. v. Chemtronics, Inc., 439 F.2d 1369, 1380, 165 USPQ 355, 364 (5th Cir. 1970). Also see Patent Office Rules 104 and 106.

Applicants respectfully request that this art be expressly considered during the prosecution of this application and made of record herein and appear among the "References Cited" on any patent to issue herefrom.

Respectfully submitted,



James E. Ledbetter
Registration No. 28,732

Date: March 7, 2005

JEL/ejw

ATTORNEY DOCKET NO. L9289.04188

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FORM PTO-1449 U.S. Department of Commerce
(Rev. 4/92) Patent and Trademark Office

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use several sheets if necessary)

ATTY. DOCKET NO.

L9289.04188

SERIAL NO.

10/517,006

APPLICANT

Katsuhiko ARAKI, et al.

FILING DATE

December 6, 2004

GROUP

Unassigned

U.S. PATENT DOCUMENTS

| EXAMINER INITIAL | DOCUMENT NUMBER | DATE | NAME | CLASS | SUBCLASS | FILING DATE IF APPROPRIATE |
|---------------------|--------------------|---------|--------------|-------|----------|-------------------------------|
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| DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUBCLASS | TRANSLATION |
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| 8 2 7 4 7 5 6 | 10/1996 | JP | | | |
| 2001 0 4 8 9 5 2 | 07/2001 | WO | | | |
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| 2002 0 4 4 1 6 8 | 02/2002 | JP | | | Abstract |

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

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| | International Search Report dated June 15, 2004. |
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EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation is considered, draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

(Form PTO-1449 [6-4])